

OFFICIAL COUNCIL PROCEEDINGS

March 18, 2003
7:00 P.M.

ROLL CALL

Present: Council Member Janes, Mayor Hark, Council Members
Dexheimer, and Hull - 4

Absent: Council Members Wilson, Behymer and Morgan – 3

CALL TO ORDER

There being a quorum present, Mayor Hark called the meeting to order.

INVOCATION

Council Member Dexheimer gave the invocation at this time.

PLEDGE OF ALLEGIANCE

Council Member Hull led the Pledge of Allegiance to the Flag.

Motion was made by Council Member Dexheimer to excuse Council Members Wilson, Behymer and Morgan. Motion was seconded by Mayor Hark.

Motion carried.

APPROVAL OF MINUTES

Regular Council Meeting of March 4, 2003

Council Member Janes made a motion to approve the minutes of the previous Council Meeting that was held on March 4, 2003. Motion was seconded by Mayor Hark.

Motion carried.

APPROVAL OF PAYROLL AND CLAIMS

First Half of March 2003

Motion was made by Council Member Hull to approve the payroll and claims for the first half of March 2003. Motion was seconded by Council Member Janes.

Motion carried.

CITIZEN DONNA LYBARGER

Re: Swank Auto Repair – Unable to Obtain License Due to Owing Back Taxes to State

Ms. Lybarger addressed Council concerning Swank Automotive, who is delinquent with its Missouri sales taxes. She stated that the State and Swank had agreed that Mr. Swank would pay \$235.06 per month. This will make him current in one year. The problem is that Swank Automotive can not get is merchant's license since he is delinquent.

Mayor Hark called City Collector Frances Tiller to respond, but, since Ms. Tiller was not present, Deputy Clerk Nelson spoke on the City's behalf. She stated that the State sends a list of merchants who are delinquent with their sales tax to the Clerk's office yearly. They ask that the City not issue merchant's license to the businesses that are on the list. This is not a City ordinance but a request from the State only.

Ms. Lybarger said that the State had no problem with the City issuing a license; however, if Mr. Swank is late with his payment even once, they will revoke his license. There are no negotiations, he must pay on time each month and also be current with his quarterly taxes in order to operate. The City Manager recommended that since this was initially the State's rule, we should allow Mr. Swank to purchase his license. Motion was made by Council Member Dexheimer to allow Swank to purchase a merchant's license. Motion was seconded by Mayor Hark.

Motion carried.

COMMANDER JOHN HADEN – V.F.W.

Re: Permission to use 3 Parking Spaces in Front of City Hall During Fourth of July Celebration

Mr. Haden was not present at the meeting, so Council Member Dexheimer requested that the Deputy Clerk read Mr. Haden's request. This request was not included in the packet; however, the City has given the V.F.W. this permission in past years. Mr. Burns stated that in the past they have used the electricity from City Hall. The circuit is not adequate for the load that is being put on them; therefore, the breakers are tripped repeatedly. If we are allowing them to use the spaces, we should make it clear that we are not obligating ourselves to provide electricity. After other options were discussed, Council Member Dexheimer made a motion to table this request until more information was obtained. Motion was seconded by Council Member Janes.

Motion carried.

STEVE TERRY – HCVB PRESIDENT

Re: Approval of New Executive Director for the Hannibal Convention & Visitor's Bureau

Mr. Terry introduced himself and stated that for the past several weeks the board has gone through the process of application review in order to select a new executive

director. The board received 27 timely applications. Of these, fourteen applicants were interviewed and five were called back for a second interview. At this time, Mr. Terry was requesting Council approval of the board's unanimous selection of the Executive Director Ms. Catherine Rahe. Council Member Dexheimer made the motion to accept the board's selection of Ms. Rahe. Motion was seconded by Mayor Hark.

Motion carried.

BILL LANKFORD – SUPERINTENDENT OF PARKS AND RECREATION
Re: Contract for Engineering Services for Skate Park
(Resolution 1029 to follow)

Mr. Lankford addressed Council concerning the contract for services with Klingner and Associates, P.C. as stated on Resolution 1029 to be presented later during this meeting. Mr. Lankford requested approval of this resolution.

Re: Approval of Bid Recommendation for One-Ton Truck

At this time, Mr. Lankford requested approval of the bid for a one-ton truck by Knapheide Equipment in the amount of \$11,007.00. Council Member Dexheimer made a motion to approve Mr. Lankford's recommendation and award bid to Knapheide for the one-ton truck. Motion was seconded by Council Member Janes.

Motion carried.

Re: Placing Riverview Park on the State Historic Preservation List

Mr. Lankford presented information to Council and offered to answer questions concerning his plans to move forward with necessary documentation to place Riverview Park on the State Historic Preservation List. The cost of this endeavor will be \$4,250.00, which is under current bid limits.

Mayor Hark asked about the effect this change will have on the water plant in Riverview Park. Mr. Lankford stated that this project would be in direct correlation with the water tank that the BPW is proposing to build. He stated that although his first interest was parks and Mr. Chriscinske's first interest was good safe water for the community, for Hannibal's best interest, everyone must cooperate. Even though, at this time all of the issues had not been resolved, he and Mr. Chriscinske were going to be working together.

Mr. Bob Chriscinske, BPW Superintendent, was then asked to speak. He explained the history of the Water Plant and its relation to Riverview Park. He said that there were some misconceptions concerning the water tank that the Board was proposing to place at the Riverview Park location. Mr. Chriscinske stated that the Board recognizes the historical significance, what is considered park land and what was originally purchased. BPW is sensitive to the design of the proposed tank, which will be located on City property. (After checking records it was discovered that this property is not part of Riverview Park even though it has been used as park property.)

The proposed area for the new tank placement is approximately 150 foot square. The tank is a three million gallon capacity. Chriscinske stated that the BPW is sensitive to the Park; he included plans for a couple pre-cast concrete tanks that have been used in a landscape area.

Mr. Chriscinske concluded by saying that the Board MUST proceed with the construction of this tank since they are now in danger of a catastrophic failure of the present clear well (the roof collapsing), and this has been noted by the DNR. They have selected a site just south of the restroom area and south of the existing tank as the new location, and borings have begun to determine if this location is suitable for foundation of a tank this size. BPW is proceeding in order to insure an economical, reliable and safe supply of water for Hannibal and the surrounding area, but will continue to talk with the park board about the issues involved.

Council Member Dexheimer asked if BPW was now in violation of DNR standards. Mr. Chriscinske answered that this was a possibility. The existing tank has some small holes in the top that have been identified.

In the past, it was suggested that this area be bulldozed and use the existing area for park, moving the water plant to another location. Mr. Chriscinske stated that he had contacted Black and Veatch for an estimate of constructing a ten-million gallon/day water plant and 30 million dollars was the amount that was quoted for this type of installation. (3 million dollars for the tank alone)

Council Member Dexheimer said that he thought everyone was sensitive to the Park issue, everyone knows what an asset Riverview Park is to the City. By the same token, the City has an obligation to the ratepayers to provide the most economical gallon of water that we can. Aesthetically, the new tank isn't going to be any worse than what we have now. Concerning the park board wanting to get Riverview Park into the National Register, we need to make sure that this will not hinder what the BPW is trying to accomplish.

Mr. Chriscinske said that the BPW did not object to the Park, as it is, applying for the registration and hopefully obtaining it. The BPW has a private piece of property adjoining the park and will work with them to make sure that what is done does not make adverse impact on the park property.

Mr. Shimun pointed out that both pieces of property are City properties and Council is the final board to arbitrate this issue. This shouldn't be a fight between two department heads.

A Park Board Member, David Bleigh, was recognized by the Council and spoke of the suggestion to begin proceedings to have Riverview Park placed on the State Historic Preservation List. He stated that he had some misgivings about this suggestion and added that the Park Board had only discussed this; but, to date, had not agreed to proceeding with this application. There are issues that need to be resolved before this is approved.

It was concluded that this was for Council's information only and nothing would be done until the Park Board's approval. The procedure will take 12-18 months after that.

JIM BURNS – CITY ENGINEER
Re: Approval of Manchester Bids

City Engineer Jim Burns came before Council with information concerning the renovation of the former Manchester Tank building (Bid Pkg#1) and the sprinkler system installation (Bid Pkg#2). The third package, building the railroad spur, is still being designed and the City is waiting for response from the railroad for that particular package. Mr. Burns said that after taking everything into consideration, Bleigh Construction was the low bidder for bid package #1, building renovation. He requested approval by Council of their bid in the amount of \$666,700.00.

Council Member Dexheimer asked if it was true that instead of re-bidding this renovation project, the bids were reviewed the things that were already in the original bid were subtracted. Mr. Burns explained that they didn't change the bid. Certain things were put in, primarily improvements to the existing truck docks that General Mills had to upgrade because company policy required dock locks and seals, etc. before the docks could be used. These items were also required according to our bid package so Bleigh included them in their bid. However, Seither and Cherry did not include them since the saw that these items were already added when they did their pre-bid inspection.

Tonight Mr. Burns also asked for authorization to have the Mayor sign a contract as soon as the block grant rules have been satisfied. Instead of taking two meeting to accomplish this, he asked that Council approve the bid and the Mayor's authorization at the same time, so that renovations could be started at this facility.

The next item Mr. Burns presented was bid package #2, the fire protection. He requested that the bid be accepted and the Mayor be authorized to sign a contract with Bi-State Fire Protection Corporation in St. Charles, the low bidder, with a bid amount of \$168,865.00.

Mr. Burns concluded by requesting approval of Resolution 1027, as revised, and Resolution 1028 later during the meeting.

JERRY KELLEY – CITY PLANNER
Re: 5-Year Capital Improvement Program for 2003-2008

Mr. Kelley stated that Friday morning he, Council Member Dexheimer, Building Inspector John Wealer and two representatives for the Mark Twain Council of Governments, Robin Fitzgerald & Mark Fuqua looked at a possible area on the south side where they could proceed with the second Community Development Block Grant (CDBG) housing rehabilitation program.

Two years ago they were successful with moving into the Gordon/Settles Street area with some housing rehab. They have been encouraged by the Mark Twain Regional Council of Governments and contacts in Jefferson City with the way that project is going, so they are pursuing another area development block grant. Mr. Kelley feels like the City has an excellent chance to qualify and proceed with that program. For that reason, he gave

Council an information sheet, because things will be going a little fast-paced over the next 2-months. He and the others previously mentioned will be getting out and talking with property owners. This is primarily Fulton Avenue (Route 79 to Terrace Drive) that they will be looking at. There will be a public hearing on April 8 and on April 15 we will return with a litany of potential requests related to inspectors, both asbestos and lead, in housing that is part of this program so that it can be pre-qualified to get additional administrative points as we put the application together. The deadline for submitting is May 15. The grant, if we qualify, is for ½ million dollars and will include approximately 30 homes and maybe a couple of demolitions in the area.

Mr. Kelley concluded by saying that this would probably be his last Council meeting. He said he had immensely enjoyed the past five years.

At this time, Chamber of Commerce President, Larry Craig, was recognized. Mr. Craig submitted the five-year capital improvement plan for Council's approval and to place on file. Council Member Dexheimer made motion to approve the plan. Motion was seconded by Mayor Hark.

Motion carried.

RESOLUTION 1026

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A CONTRACT ON BEHALF OF THE CITY OF HANNIBAL WITH THE MISSOURI DIVISION OF HIGHWAY SAFETY FOR PARTICIPATION IN A FEDERAL HAZARDOUS MOVING VIOLATION PROJECT

Motion was made by Council Member Dexheimer to have the Clerk read Resolution 1026 and call the roll for adoption. Council Member Hull seconded the motion.

Motion carried.

Roll Call

Yes: Council Member Janes, Mayor Hark, and Council Members Dexheimer, and Hull – 4

No: -0-

Absent: Council Members Wilson, Behymer and Morgan

Mayor Hark declared Resolution 1026 duly approved and adopted on this date.

RESOLUTION 1027

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN ON BEHALF OF THE CITY OF HANNIBAL, MISSOURI, A CONTRACT WITH BLEIGH CONSTRUCTION COMPANY FOR RENOVATION WORK TO BE DONE ON THE FORMER MANCHERSTER TANK BUILDING

Motion was made by Council Member Janes to have the Clerk read Resolution 1027 and call the roll for adoption. Mayor Hark seconded the motion.

Motion carried.

Roll Call

Yes: Council Member Janes, Mayor Hark, Council Members Dexheimer, and Hull – 4

No: -0-

Absent: Council Members Wilson, Behymer and Morgan

Mayor Hark declared Resolution 1027 duly approved and adopted on this date.

RESOLUTION 1028

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN ON BEHALF OF THE CITY OF HANNIBAL, MISSOURI, A CONTRACT WITH BI-STATE FIRE PROTECTION CORPORATION FOR INSTALLATION OF FIRE SPRINKLER PROTECTION IN THE FORMER MANCHERSTER TANK BUILDING

Motion was made by Council Member Dexheimer to have the Clerk read Resolution 1028 and call the roll for adoption. Council Member Janes seconded the motion.

Motion carried.

Roll Call

Yes: Council Member Janes, Mayor Hark, Council Members Dexheimer, and Hull – 4

No: -0-

Absent: Council Members Wilson, Behymer and Morgan

Mayor Hark declared Resolution 1028 duly approved and adopted on this date.

RESOLUTION 1027

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN ON BEHALF OF THE CITY OF HANNIBAL, MISSOURI, A CONTRACT WITH BLEIGH CONSTRUCTION COMPANY FOR RENOVATION WORK TO BE DONE ON THE FORMER MANCHERSTER TANK BUILDING

Motion was made by Council Member Janes to have the Clerk read Resolution 1027 and call the roll for adoption. Mayor Hark seconded the motion.

Motion carried.

Roll Call

Yes: Council Member Janes, Mayor Hark, Council Members Dexheimer, and Hull – 4

No: -0-

Absent: Council Members Wilson, Behymer and Morgan

Mayor Hark declared Resolution 1027 duly approved and adopted on this date.

RESOLUTION 1028

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN ON BEHALF OF THE CITY OF HANNIBAL, MISSOURI, A CONTRACT WITH BI-STATE FIRE PROTECTION CORPORATION FOR INSTALLATION OF FIRE SPRINKLER PROTECTION IN THE FORMER MANCHERSTER TANK BUILDING

Motion was made by Council Member Dexheimer to have the Clerk read Resolution 1028 and call the roll for adoption. Council Member Janes seconded the motion.

Motion carried.

Roll Call

Yes: Council Member Janes, Mayor Hark, Council Members Dexheimer, and Hull – 4

No: -0-

Absent: Council Members Wilson, Behymer and Morgan

Mayor Hark declared Resolution 1028 duly approved and adopted on this date.

RESOLUTION 1029

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN ENGINEERING AND ARCHITECTURAL SERVICES AGREEMENT WITH KLINGNER AND ASSOCIATES, P.C. FOR ENGINEERING AND DESIGN CONSULTING FEES AND CONSTRUCTION SUPERVISION FOR THE SKATEPARK PROJECT

Motion was made by Council Member Janes to have the Clerk read Resolution 1029 and call the roll for adoption. Mayor Hark seconded the motion.

Motion carried.

Roll Call

Yes: Council Member Janes, Mayor Hark, Council Members Dexheimer, and Hull – 4

No: -0-

Absent: Council Members Wilson, Behymer and Morgan

Mayor Hark declared Resolution 1029 duly approved and adopted on this date.

BILL NO. 03-859

AN ORDINANCE AMENDING ARTICLE IV, OFFENSES AGAINST PUBLIC MORALS OF CHAPTER 16 OF THE HANNIBALCITYH CODE IN REGARDS TO UNNEDESSARY NOISE

Council Member Dexheimer made motion that this bill be tabled so that the Police Chief and the City Attorney can work out some of the problems before it gets a second and final reading. Motion was seconded by Mayor Hark

Motion carried.

**CLOSED SESSION
In Accordance with RSMo 610-021 (1)**

Council Member Dexheimer made motion to go into closed session in accordance with RSMo 610-021 subsection (1) admitting Mayor Hark, Council, City Manager, City Attorney and Deputy Clerk. Motion was seconded by Mayor Hark.

Roll Call

Yes: Council Member Janes, Mayor Hark, Council Members Dexheimer and Hull – 4

No: -0-

Absent: Council Members Wilson, Behymer and Morgan – 3

Motion carried.

ACTION TAKEN DURING CLOSED SESSION

Motion was made by Mayor Hark to approve the agreement with Wells Reporting concerning reporting gross receipts as a yearly total and to waive all penalties. Motion was seconded by Council Member Janes.

Roll Call

Yes: Council Member Janes, Mayor Hark, Council Members Dexheimer and Hull – 4

No: -0-

Absent: Council Members Wilson, Behymer and Morgan – 3

Motion carried.

BACK INTO OPEN SESSION

Motion was made by Council Member Janes to return to open session. Motion was seconded by Council Member Hull.

Motion carried.

ADJOURNMENT

Motion was made by Council Member Janes to adjourn. Motion was seconded by Council Member Hull.

Motion carried.

Mary Beth Baudendistel, City Clerk

Roy G. Hark, Mayor
